

Remarks

I. Introduction

This is in response to the Office Action dated May 12, 2009.

The Office Action rejected claims 1-29 under 35 U.S.C. §102(a) as being anticipated by Tech Note 275 (*Configuring TCP/IP Industrial Ethernet with SIMATIC NET Version 6.0 and Generic NIC Card (e.g., 3Com Card)*, October 2002).

Claims 1-3 and 27-29 have been amended. No New matter has been added. Claims 1-3 and 5-29 are pending.

II. Rejections under 35 U.S.C. §102(a)

Independent claims 1, 27, 28, and 29 were rejected under 35 U.S.C. §102(c) as being anticipated by Tech Note 275. In order for a claim to be anticipated under 35 U.S.C. §102, **each and every** limitation of the claim must be found either expressly or inherently in a single prior art reference. PIN/NIP, Inc. v. Platte Chem. Co., 304 F.3d 1235, 1243 (Fed. Cir. 2002). In the present case, Tech Note 275 does not show each and every limitation of independent claims 1, 27, 28, and 29. Therefore, applicants request the withdrawal of the rejections under 35 U.S.C. §102(a).

The present invention generally relates to configuring a network interface device. As illustrated in FIG. 1, a network interface device 1200 can be used to communicatively couple a process network 1400 related to an industrial application to a non-process network 1300, such as an Ethernet network, UDP-based network, TCP-based network, or the Internet. An information device 1500 communicates with the network interface device 1200 via the process network 1400. As described at paragraphs [80]-[83] of the specification, a wizard 1600 located at information device 1500 automatically enforces user compliance with a plurality of predetermined steps for a computer-assisted configuration of the

network interface device. As described in paragraph [91], the computer-assisted configuration layer can relate to an OSI transport layer or any layer above the transport layer in the OSI model. The information device 1500 then sends configuration settings to the network interface device 1200 via network 1400. Accordingly, the network interface device 1200 can be configured using a wizard 1600 running on a separate information device 1500 communicating with the network interface device 1200 via a network 1400.

Independent claims 1, 27, 28, and 29 have been amended to recite the above described aspects. In particular, independent claim 1 recites:

A method for configuring a network interface device from an information device communicating with the network interface device via a network, the network interface device adaptable to connect a programmable logic controller to a network, said method comprising:
 automatically enforcing, via a wizard at the information device, user compliance with a plurality of predetermined steps for a computer-assisted configuration of the network interface device, the computer-assisted configuration relating to an OSI transport layer or above; and
 providing at least one setting to the network interface device from the information device via the network.

Independent claims 27, 28, and 29 have been amended to recite similar limitations to amended independent claim 1.

Tech Note 275 does not disclose this limitation of independent claim 1, and therefore does not anticipate claim 1 under the strict anticipation standard of §102.

Tech Note 275 is directed to configuring TCP/IP Ethernet with SIMATIC NET and a generic NIC card. As shown on page 5 of Tech Note 275, a SIMATIC NET Commissioning Wizard can be used to configure an Ethernet network. However, there is no description in Tech Note 275 of this wizard being a separate computer from a network interface device. As shown at page 7 of Tech Note 275, the network card is inserted into the computer running the

configuration. Accordingly, the network card is configured on the same computer that runs the configuration wizard. Tech Note 275 does not describe providing a wizard to configure a network interface device on a separate computer and transmitting the configuration settings of the network interface device from the computer to the network interface device over a network. Therefore, Tech Note 275 fails to disclose “automatically enforcing, via a wizard at the information device, user compliance with a plurality of predetermined steps for a computer-assisted configuration of the network interface device, the computer-assisted configuration relating to an OSI transport layer or above” and “providing at least one setting to the network interface device from the information device via the network,” as recited in independent claim 1.

Thus, Tech Note 275 does not disclose each limitation of independent claim 1, and claim 1 is allowable over Tech Note 275. Since claims 2-3 and 5-26 depend from independent claim 1, these claims are also allowable over Tech Note 275.

For similar reasons to those described in connection with independent claim 1, Tech Note 275 fails to disclose each and every limitation of independent claims 27, 28, and 29, as amended. Therefore, independent claims 27, 28, and 29

III. Conclusion

For the reasons discussed above, all pending claims are allowable over the cited art. Reconsideration and allowance of all claims is respectfully requested.

Respectfully submitted,

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